
WELSH STATUTORY INSTRUMENTS

2006 No. 2934 (W.266)

HIGHWAYS, WALES

**The Street Works (Reinstatement)
(Amendment) (Wales) Regulations 2006**

Made - - - - 7 November 2006

Coming into force - - 24 January 2007

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by sections 71 and 104(3) of the New Roads and Street Works Act 1991⁽¹⁾ and which are now exercisable by the National Assembly in relation to Wales⁽²⁾, having consulted the European Commission in accordance with Article 8 of Council Directive 98/34/EC⁽³⁾, hereby makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Street Works (Reinstatement) (Amendment) (Wales) Regulations 2006 and they come into force on 24 January 2007.

(2) These Regulations apply in relation to Wales.

Amendment of Regulations

2.—(1) The Street Works (Reinstatement) Regulations 1992 are amended as follows.

(2) For regulation 2(c), substitute—

“(c) “the Code” means the code of practice entitled “Specification for the Reinstatement of Openings in Highways” dated 7 November 2006, and approved by the National Assembly for Wales on 7 November 2006 as revised and reissued from time to time;”.

(3) For regulation 2(e), substitute—

“(e) “a road carrying more than 125 million standard axles” means a road so constructed as to be capable of carrying more than 125 million standard axles per annum.”.

(4) In regulation 3(3), for the words “30 million standard axles” substitute “125 million standard axles”.

(1) 1991 c. 22.

(2) The powers of the Secretary of State, insofar as exercisable in relation to Wales, have been transferred to the National Assembly for Wales: see article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) O.J. No.L204, 21.7.1998, p.37.

- (5) In the Table to regulation 4(2)—
- (a) For the words in column 3 of item 2, substitute—
“Paragraphs S2.6.3 & S2.6.4”;
 - (b) For the words in column 2 of item 7, substitute—
“S8 (Footways, Footpaths and Cycle Tracks)”;
 - (c) For the words in column 2 of item 8, substitute—
“S9 (Verges and Unmade Ground)”;
 - (d) For the words in column 3 of item 10, substitute—
“Paragraph S12.4”.
- (6) In the Table to regulation 4(3)—
- (a) For the words in column 3 of item 2, substitute—
“Paragraphs S2.2.1, S2.3.1, S2.4.1, S2.4.3, S2.6.2.”;
 - (b) For the words in column 2 of item 7, substitute—
“S8 (Footways, Footpaths and Cycle Tracks)”;
 - (c) For the words in column 2 of item 8, substitute—
“S9 (Verges and Unmade Ground)”;
 - (d) For the words in column 2 of item 9, substitute—
“S10 (Compaction Requirements)”.
- (7) In regulation 7, for the words “paragraphs 1.5,1.6.1 and 1.6.2”, substitute “paragraphs S1.6 and S1.7”.
- (8) In regulation 8, for the words “paragraphs 1.6.1 and 1.6.2”, substitute “paragraphs S1.7.1 and S1.7.2”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

7 November 2006

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend (as respects Wales) the Street Works (Reinstatement) Regulations 1992 (S.I.1992/1689) (the “1992 Regulations”). The 1992 Regulations prescribed requirements for the specification of materials to be used and the standard of workmanship to be observed by undertakers in reinstating streets by reference to a Code of Practice issued in 1992. The National Assembly for Wales has approved the issue of a new Code of Practice entitled “Specification for the Reinstatement of Openings in Highways” (the “new Code”). These Regulations amend the 1992 Regulations to reflect the fact that paragraphs have been renumbered, and headings have been renamed, in the new Code. The Regulations also follow the new Code by providing that the Code applies to all roads carrying up to 125 million standard axles. Apart from this, the Code introduces several new requirements, notably relating to the use of specific materials for reinstatement of the highway and introducing a new road category for very heavily trafficked roads.

The new Code is available on the National Assembly for Wales website at www.wales.gov.uk.